

Western Carolinian.

Printed and Published, once a week,
By PHILIP WHITE.

SALISBURY, N. C....TUESDAY, JULY 22, 1828.

[VOL. IX.....NO. 424.

Periodicals.—At the request of many of our patrons, and in consideration of the pressure of the times, cheapness of printing, &c., the terms of the Western Carolinian have been altered, and will hereafter be as follows:

Two dollars and a half per annum; or two dollars only, if paid in advance. No paper will be discontinued, except at the desire of the Editor, until all dues are paid up. Advertisements will be inserted at 5c each the square for the first week, and 25 cents each week they are continued thereafter. Postage may be paid on all letters addressed to the Editor, or they may be attended to.

United States' Laws.
Passed at the First Session of the 20th Congress

NO. XXII.

An Act to authorize the cancelling of a Bond, therein mentioned.

BE it enacted by the senate and house of representatives of the United States of America in Congress assembled, That the Clerk of the Sixth Circuit Court of the United States for the District of Georgia, be, and he is hereby authorized and required to cancel a certain Bond, given in pursuance of the decree of the said Court, for the exportation, beyond the limits of the United States, of sundry African negroes, parcel of the cargo of the Spanish vessel called the Antelope, or Ramirez, which bond was executed by Cuesta Manzan and brothers, by their Attorney, and Joseph Cummings, and Francis Sorrell, and acknowledged by them on the twenty-fourth December, one thousand eight hundred and twenty-seven, before the Marshal of the Georgia District, in the penalty of fourteen thousand eight hundred dollars, and conditional for the exportation of the slaves aforesaid.

A. STEVENSON,

Speaker of the House of Representatives
J. C. CALHOUN.

Vice President of the United States, and
President of the Senate.

Approved: 2 May, 1828.

JOHN QUINCY ADAMS.

NO. XXXI.

An Act making a supplementary appropriation for the military service of the year one thousand eight hundred and twenty-eight.

BE it enacted by the senate and house of representatives of the United States of America in Congress assembled, That there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, for the armament of fortifications.

Sec. 2. And be it further enacted, That the Quartermaster General be, and he is hereby authorized to apply the sum of eighteen hundred dollars of the money heretofore appropriated for the Quartermaster's Department, to the confirmation and completion of the purchase of thirty acres of land, near the city of Savannah, in Georgia; which purchase was conditionally made by Lieutenant C. A. Waite, for the purpose of erecting barracks for the United States.

Approved: 2 May, 1828.

LIST OF LETTERS

REMAINING in the post-office at Mocksville, North Carolina, the 1st day of July, 1828.

Joel Banks John Kinnick
George Cook John York
William P. Crittenton William March
Nathan Chaffin George March
Wesley Clark Thomas McNeely
Michael Click George Mulder
Grunberry Dyson, 2 Jane Woods
George Doolin L. Owings
Samuel Devour Jesse Pickler
Elizabeth Estep Thomas Richardson
Josiah English John Rupert
Ely Foster Thomas Rutledge
Isham Ellis Barbara Reid
George Graves James Renshaw
Thomas D. Gibbs Isaac Tennison
Rachael Howard Charles Stephens
Richard Howard David Tufteow
Levin Howard Augustus Taylor
John C. Hawkins William Thompson
Michael Haines Benjamin Tennison
Lucy Ann Jones Nancy Walker
Freeland Lodge 324
A. G. CARTER, P. M.

Union Hotel.

MRS. FENNEL informs her friends and the public generally, that she has opened a BOARDING HOUSE, one door north-east of the Episcopal Church on Green-street, where she is prepared to receive and accommodate Travellers and Boarders in a neat and elegant manner. The dwelling is the one formerly occupied by Dillon Jordan, senr. Esq. known by the name of Jordan's Hotel. Its proximity to the Court House, as well as the business part of the town, renders it deserving of the attention both of the gentlemen of the bar and others attending the courts, of the Planters and Country Merchants of this place. She assures them that no expense nor exertion shall be wanting on her part to render her house unexceptionable in every respect; therefore, respectfully solicits a share of public patronage.

MARY FENNEL.

N. B. This House will be conducted and superintended for me by my brother, Mr. Dillon Jordan, senr. late proprietor of the Mansion Hotel.

There are very large and commodious stables and carriage house appertaining to the above Boarding House.

M. F.



Seats will be secured at the above Hotel for the Charleston, Norfolk and Augusta Stages. Fayetteville, June 4, 1828.

423

Notice to Tanners.

THE subscriber offers for sale, the valuable property in the town of Charlotte, lately belonging to Mr. Allen Baldwin. This property includes about 60 town lots, on a part of which are improvements, viz: A valuable Tannery, including all the necessary buildings, &c. and a Patent Bark-Mill; also, a good dwelling-house, with the necessary out-houses. The land is all under cultivation, and well fenced. Any person wishing to purchase, can learn the terms by calling on the subscriber, living in Cabarrus county, on Buffalo creek; or on Mr. William Smith, living in Charlotte.

ROBERT M'KENZIE.
Cabarrus county, May 22, 1828. 171f

Mills and Lands.

THE valuable Mills and Lands formerly the property of Geo. Jacob Saner, dec'd. are offered for sale by the late purchasers. This land lies on Dutchman's creek, 4 miles east of Mocksville, adjoining the Giles Mumford tract, and is equal to any land in Rowan county, with a large proportion of superior meadow; the Mills are of superior construction, and have now a very good and increasing run of custom; the water-power can very conveniently be made to drive any kind of Machinery. For other particulars, and terms, apply to Thomas D. Gibbs, one of the proprietors, on the premises.

161 THOMAS D. GIBBS,
JOSEPH HANES,
PETER SANER,
JACOB SANER,
MARTIN SANER,
May 25, 1828.

N. B. Another tract, belonging to Peter Saner, adjoining the above, containing 225 acres, will be sold in connexion with the above, or separately as may best suit the purchaser; which is likewise first rate land.

Also, will be sold, a lot adjoining the town of Mocksville, containing ten acres of land, with a good dwelling-house, with out-houses, and an excellent garden; this property will be sold low, on accommodating terms. Apply as above.

June 4th, 1828. 18

Superb Land for Sale.

THE subscriber being determined to return to the eastern part of the State to reside next winter, offers for sale his valuable Plantation in Rowan county, containing three hundred and twenty-one acres; all of which is of a superior quality. Those who have seen the land, say it is equal to any in the county. There are excellent buildings of every description on the place. Persons who want a healthy situation, a good stand for a Store, and an elegant farm, will be very much pleased with the land. The land is ten miles west of Salisbury, on the Sherriff's Ford road, adjoining the lands of Mr. Almond Hall, Mr. Joseph Cowan, and others. I deem it unnecessary to say anything further, as it is presumed the purchaser will view the premises.

RICHARD C. HOLMES.
June 4th, 1828. 18

Jersey Wagon, for Sale.

FOR sale, low, a good Jersey Wagon, or Cart, &c., with Harness. For further information, apply to the editor of this paper.

Salisbury, June 13th, 1828. 20

Cotton Yarn.

FOR sale, wholesale and retail, SPUN COTTON, Number 6 to 13, inclusive, at the Factory prices, from Fayetteville. Apply to J. MURPHY, Agent.

Salisbury, May 5, 1828. 14]

Estate of Nathan Neely.

THE subscriber having this day qualified as Executor to the last will and testament of Nathan Neely, late of Rowan county, deceased, hereby gives notice for all persons indebted to the estate of said deceased, to come forward and make payment; and all those having claims against said estate, are requested to present them to me, properly authenticated, for payment, within the time limited by law, or this notice will be plead in bar of recovery.

ROBERT N. FLEMING, Executor.

May 19th, 1828. 523

Superb Plantation for Sale.

THE subscriber being desirous to move to Mississippi this fall, offers for sale his valuable plantation in Burke county, near the Pleasant Garden, containing one thousand acres, a part of which is equal to any lands in the State. There are excellent buildings of every description on the place. Persons who want a healthy situation, and an elegant farm, can't be otherwise than pleased.

JASON CARSON.

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June 21st, 1828.

22

Committed to the Jail

OF Wilkes county, on the 22d day of April, 1828, a negro woman named Amy, who says she belongs to a man by the name of John Herren, who lives in Duplin county, N. C. The owner is requested to come forward, prove property, pay charges, and take her away.

CHARLES PHELPS, Jailer.

Wilkerson's, May 30, 1828. 18

Committed to the Jail

OF Mecklenburg county, on the 22d day of April, 1828, a negro woman named Amy, who says she belongs to a man by the name of John Herren, who lives in Duplin county, N. C. The owner is requested to come forward, prove property, pay charges, and take her away.

JOHN SLOAN, Sheriff.

May 12, 1828. [241] of Mecklenburg county.

State of North Carolina, Surry county.

NOTICE is hereby given, that the subscriber has obtained letters of administration on the estate of Elisha Harrison, dec'd. the heirs of said Elisha Harrison are hereby notified to come forward (if any they are) and receive their distributive share of said estate, or it will be disposed of as the law directs.

JOHN DEBRUSE, Jdm'r.

Rockford, 3d June, 1828.

325

July 12th, 1828.

23

Mr. J. Woodworth, Dyer.

RESPECTFULLY requests all persons in

debt to him, to come forward and make

payment; and those having claims against him,

will be paid on application at his Dying Estab-

lishment in Salisbury, three doors east of the

court-house, as his stay in the place may be short.

July 12th, 1828.

JOHN DEBRUSE, Jdm'r.

July 12th, 1828.

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Mansion Hotel.

SALISBURY, NORTH CAROLINA,

BY EZRA ALLEMONG.

THIS elegant establishment, situated at the north corner of the Court House, has been recently repaired and fitted up in a new and superior style, for the reception of Company. The greatest pains have been taken to procure for this establishment new furniture of every description, necessary for the comfort of Travellers; the most approved servants have been selected with great care; the bar stocked with choice liquors, and the stables attended by obliging and attentive hostlers. The convenience of this situation is equal to any in the place. The house contains a number of private rooms, and out-houses, well calculated for the accommodation of travellers and Boarders. Attached to which, there is a Dry Goods and Book Store.

To those who may please to call on me, he assures them that no pains will be spared to render their stay comfortable and pleasing.

EZRA ALLEMONG.

Salisbury, Sept. 17. 1827. 82

Entertainment.

THE subscriber has removed from the house formerly owned by Capt. Robert Warke, dec'd., to the house lately occupied by Mr. David Porter, in the east end of the town; where he will continue his T.A.P.E.R.V. He sincerely thanks his friends and the public for the patronage heretofore extended to him; and he solicits the continuance of their favors.

He pledges his unremitting attention to his business, and kindness to those who may be pleased to call upon him.

WHITFIELD KERR.

Statesville, Irredell co., N. C. April 4. 1828.

Summer Retreat.

THE subscriber informs the public, that the Catawba Springs Establishment is now ready for the reception of Visitors; and that, on account of the hard times, he has reduced his charges to the following rates:

Boarding, per week, 84 50

Three days or more, per day 75

Servants per week 275

Less than one week, per day 50

Stabling horses, per week 250

Less than one week, per day 50

Children, under ten years of age, per week 3 00

Less than one week, per day 50

CHARLES JUGNOT.

June, 1828. 424

Packets for Philadelphia.

THE subscriber having established a line of TICKETS between Philadelphia and Wilmington, N. C.; takes this method to inform the public, that a Vessel will leave Philadelphia for Wilmington, N. C. about every ten days, except when prevented by ice in the Delaware.

Goods and Produce intended for this conveyance, will be received and forwarded by Messrs. Hutton & Hutton, of Fayetteville, N. C. and Messrs. New & Whittier, of Wilmington, N. C. at the lowest rates of freight, and least expense possible. Having three good Vessels in the trade, commanded by expert captains, well acquainted with the coast, and Cabins well filled up for the accommodation of Passengers; he therefore trusts to meet with encouragement.

SMITHS JAMES PATTON, Jr.

Philadelphia, March 18. 1828. Smith's Wharf

Trotter & Huntington, Watch and Clock Makers and Jewellers, CHARLOTTE, N. C.

HAVE just received an elegant assortment of articles in their line; which they will sell very low for cash, or to punctual customers on credit. All kinds of Watches repaired, &c.

July 3d, 1828. 22

Wagoners, DRIVING TO FAYETTEVILLE.

WILL find it to their advantage, to stop at the H. JIGON FIRD, where every convenience is provided for Man and Horse, to make them comfortable, at the moderate charge of 25 cents a day and night, for the privilege of the Yard, the use of a good house, fire, water, and shelter. Attached to the Yard, are a Grocery and Provision Store, Bread Shop and Confectionary, and a House for Boarders and Lodgers, in a plain, cheap, wholesome and comfortable style.

Fayetteville, 1st, April, 1828.

WAGONERS,

DRIVING TO FAYETTEVILLE.

THE subscriber has just returned from the North, with an good assortment of Jewelry, Watches, Silver-Ware, &c.

THE SIX MILITIA MEN.

The case of the Six Militiamen fairly stated; in which the imputations cast upon Gen. Jackson respecting that transaction, are shown to be illiberal and unfounded calumnies: published by order of the Central Jackson Committee at Raleigh, and addressed

To the FREEMEN of NORTH-CAROLINA.

Fellow Citizens: Those who have procured power by improper practices, are not likely to be scrupulous in selecting the means by which it may be preserved. Hence the present administration, sensible that the voice of the nation is against them, and, if left to operate freely, will shortly dismiss them to that obscurity from which they ought never to have been elevated, have put forth all their strength to mislead public opinion, and thereby to add its sanction to that election which brought their chief to the head of the government by a strict attention to the forms, without any regard to the spirit of the Constitution. To make this effort successful, it has been thought a matter of first importance to blacken the reputation of Andrew Jackson; and no pains have been spared to effect it. Every act of his life has been scrutinized, not with the view of submitting his conduct to the impartial judgment of his countrymen, but with the deliberate design to misrepresent and pervert it. Not only have the transactions of his life, both public and private, been subjected to this spirit of detraction and malevolence, but even his family circle has been invaded, and with a meanness and malignity, of which human language furnishes no epithets sufficiently expressive, in violation of the decencies of civilized life, and all that is esteemed manly and honorable among a cultivated and moral people. Mrs. Jackson has been dragged before the public and grossly insulted and traduced. In the political contests which our country has heretofore witnessed, whatever of bitter and uncharitable denunciation may be remarked and regretted, we may still reflect with pleasure that the assailants and the assailed were men, were parties to the struggle, and voluntarily mingled in the fray. An attack upon a woman, a plain, retired and unoffending woman, was never heard of. This savage and cowardly warfare was reserved for the present day and the present contest. Its introduction amongst us, exhibits, in their true colours, the principles of that coalition by which we are governed, and shows that the Seminole war was not the last conflict with Barbarians in which Jackson was destined to be involved.

But we have neither the time nor the inclination, fellow-citizens, to pursue this theme. As this is the first occasion on which Americans have forgotten the delicacy due to that sex which is "Heaven's last best gift to man," let us hope it will be the last.

Among the charges against General Jackson which have been most industriously circulated, that of having "illegally and inhumanly massacred" six militia men stands foremost, and to this charge the Central Jackson Committee desire now to invite your candid and patient attention.

We surely have a right to expect from you an impartial hearing. Without it, you would not condemn the meanest man amongst us, and less you will extend to the gallant defender of New-Orleans, the man who (to use Mr. Jefferson's words respecting him) "has filled the measure of his country's glory." If he is indeed a murderer, let him be condemned; if he is even wanting in clemency and forbearance, let him bear the reproach of it; but let us not hasten to condemn or to reprobate him. Let us do him the justice to examine the evidence on which this grave charge rests. If he left all the occupations and all the pleasures of domestic life for our sakes, and to redeem the honor of the American name from the contemptuous boasts of British superiority, and to protect our country from invasion and our women from violation, gladly hazarded his life in the wilderness and in the field, surely we cannot justly, nay decently refuse to examine before we decide. We wish you "nothing to extenuate;" we merely desire that you will not join those who persecute and traduce him—that you will not "set down aught in malice."

In this spirit of impartial justice, let an inquiry be made into the case of the six militia men; and appealing "to the law and to the testimony," we hope to show that Jackson did nothing but his duty—nothing but what you yourselves would have thought right to be done, had you been in his situation; and that the execution of these men was a measure of necessary severity deserved by their offenses, and demanded by the then state and prosperity of our country.

In order to decide properly in any case, we must first understand the facts. We present you a statement of these facts, simple and unvarnished, and refer for its proof to the documents annexed.

On the 11th of January, 1814, the Secretary of War authorized, Governor Blount, of Tennessee, "to supply," by militia drafts or volunteers, any deficiency in the militia division under General

Jackson, without referring to the War department." (See letter of the Secretary of War in the appendix of documents, No. 2.)

On the 20th of May, Gov. Blount, acting under the authority thus given him, upon the requisition of General Pinkney, ordered General Jackson to call out from his division one thousand militia, for the term of SIX months, to meet at Fayetteville, in Tennessee, on the 20th of June; and the Governor transmitted a copy of this order to the War department. (See Governor Blount's order and affidavit annexed.) General Jackson, in obedience to this order, called out the troops required; (see his order, of the 24th of May, annexed); and, it is admitted on all hands, they were regularly mustered into the service of the United States on the 20th of June, placed under the orders of Col. Pipkin, of Tennessee. The great object of calling these troops was to secure the quiet and repose of the frontier; by keeping the Creek Indians in check; and they were accordingly stationed in the country of the Creeks.

During the summer and fall, many indications of a mutinous spirit discovered themselves amongst them; and at length, on the 19th of September, a large party assembled, armed, and forced the guard at the store house, seized upon the Commissaries' stores, collected for the use of the troops, and early the next morning abandoned their position, and marched off in defiance of the authority of the officer commanding the post.

On the 21st of November General Jackson ordered a court martial to assemble at Mobile, for the trial of the offenders. The court met accordingly, and more than one hundred and fifty men, either by their own confession or by sufficient proof, were found guilty of being concerned either in exciting or committing this offence. Six ringleaders amongst the mutineers were sentenced by the court to be shot. Others were recommended to pardon, and a large number sentenced to other punishments. And these proceedings having been made known to General Jackson, then at New-Orleans, he on the 22d of January, 1815, gave them his approbation, and the six militia-men were executed.

This is a plain and accurate statement of a transaction which has been much misrepresented, and for which Jackson has been held up to the world as a cruel and relentless murderer. Let us then examine the grounds upon which the charge of murder and cruelty is attempted to be supported. Many of you, fellow citizens, have seen a pamphlet on this subject, professing to be an Official Record, printed by Jonathan Elliott, of Washington, and reprinted in this city by J. Gales & Son—a pamphlet which has been extensively circulated; and is intended not to inform, but to deceive you, by withholding information of the most important kind, and by adding to that which is communicated the most injurious and unjust commentaries, to inflame your passions and bias your judgment. In this pamphlet it is said, that the execution of those men was an "illegal massacre," because their term of service had expired. That their term of service was expired, is attempted to be shewn by alleging, first, that Gov. Blount called them out for three months, and, secondly, that if he called them out for a longer time, it was without authority. We shall contend, and we think successfully, that both these allegations are false in point of fact; and further, that if true, they do not affect General Jackson, and that so far as he is concerned, the execution was proper and justifiable.

First.—For what length of time were they, in fact, drafted into the service? It is plain that this can be ascertained only by the orders under which they were called out. Among the papers annexed, the order of Governor Blount fixes their time of service expressly at SIX MONTHS. Yet this order is not printed by the authors of the pamphlet before mentioned, although very important in their view, to a right judgment in the case. Was it omitted for any fair purpose? Can a good cause require the keeping back of a material part of the evidence? You are plain men, accustomed to fair and honest dealing. Suppose, then, a man should accuse one of your neighbors of a great crime, and offer you written statements to prove it, and you should find, upon inquiry, that a material paper was withheld; what would you conclude? Certainly, that it was withheld because, if produced, it would make for the party accused? and what terms of reprobation would you apply to such conduct? Suppose, upon the production of this paper, it should appear, in point of fact, to be in favor of the accused, would not this, coupled with the conduct of his accuser, go far to satisfy you that the accused was an innocent and persecuted man? If so, apply the same rule to the case before you. The rules of honesty and fair dealing are the same in regard to public and private men; and in relation to both, he is unworthy of credit who withholds a material part of a transaction, and thereby gives a false and injurious impression of the whole.

It is true that the order of Gov. Blount was not communicated from the War Department. Gov. Blount sent a copy of it by mail to the Secretary of War, afterwards mislaid; for we are unwilling to suppose the late Secretary of War, Mr. Barbour, would have been guilty of the baseness of withholding a document in his possession.

But it appears from the documents, that Gov. Blount was authorised to order out troops by the President, and the Committee on Military Affairs state in their report that these troops were ordered out for SIX months; and that they had taken measures to procure the order. (See Report of the Committee.) Why then did they not print the report? The report and the documents were all printed together by order of the House of Representatives. Why, then, if they desire to give you the truth and enable you to judge for yourselves, did not they give you the report also? The reason is but too apparent: the report of the committee shews that the able and distinguished men who composed it were satisfied that General Jackson had done his duty, and it was feared that their opinion, if produced, would operate as an antidote to the poison of falsehood which it was intended to infuse into the public mind. We command that report to your serious attention, and have not a doubt that the opinion of a standing committee of Congress will have more weight with you than the allegations of many such men as Jonathan Elliott and Company. But further, the order of Governor Blount was procured by the committee, and placed on the files of the House with the other papers relating to this affair, and was printed in the newspapers before Messrs. Gales and Son issued their pamphlet. Why was it omitted? Can you doubt it was to conceal the truth and procure the condemnation of an innocent man? For if truth was their object, why were they afraid to trust you with the whole proof? But, fellow citizens, the order is now printed for your inspection; and it does plainly and expressly call out the militia for SIX months.

Then the inquiry arises had Governor Blount authority to issue such an order? In January, 1814, the Governor was authorised to call out the militia without referring to the War department for instructions; and at that time it is admitted the term of service was SIX months. But it is said the law then in force expired on the 10th of April, 1814. True; but by the 2d section of an act, passed on the 18th of the same month, it was provided that the militia, when called into the service of the United States, might be compelled to serve SIX months, if in the opinion of the President, the public service required it. Now when Governor Blount received the general authority to call out, at his own discretion, militia from time to time, the term of service was SIX months; and when he acted under that authority, which had never been recalled, in ordering them to serve for that time, he was justified in supposing himself authorised by the President so to do. But further—he sent to the Department of War the order he had issued, (see his affidavit) and afterwards, 19th of October, 1814, he expressly reported to the Secretary those troops as in service for a term of SIX months. (See his letter No. 11.) Now, all that can be supposed necessary to give validity to this order of the Governor was the approbation of the President.—Did he not approve it? Is there not abundant evidence that he did? Let us even suppose the copy of the order sent by the Governor did not reach Washington, which is not very probable; yet when in Oct. 1814, he reported those troops as called into service for SIX months, if the President did not approve their being called out for more than THREE months, then their term had already expired. On the 20th of June they are mustered into service—on the 20th of September the three months would have expired; and if the Department of War had not sanctioned the act of the Governor, these troops were then at the time they were reported, wrongfully detained, and should have been immediately discharged.—Would Mr. Madison have supported, by his authority, such a wrong to his country as detaining for six months men only drafted for three? He surely would not; and the conclusion fairly and clearly results that the President thought the public interest required such a call as Governor Blount had made. Now, in this view of the subject, it is not very material what were the order under which they were called not, if the President thought it necessary to detain them in service for six months. The act of Congress of the 18th April did not expressly require that a previous call should be made for SIX months: but no matter how called out, the act authorised the President to compel them to serve for SIX months. We say, then, that Gov. Blount was authorised to make a draft for SIX months; and ever if he was not, yet the President, afterwards, when informed of the step he had taken for the protection of our western fellow citizens from the tomahawks of the Creeks, approved what he had done by considering the troops as in the service of the United States, and treating them accordingly. [continued.]

Salisbury:

JULY 22, 1828.

THE PEOPLE'S NOMINATION.

FOR PRESIDENT,

Andrew Jackson.

FOR VICE PRESIDENT,

JOHN C. CALHOUN.

JACKSON ELECTORAL TICKET.

1st Dist.—Robert Love, of Haywood county.
2d Montford Stokes, of Wilkes.
3d Peter Forney, of Lincoln.
4th John Giles, of Rowan.
5th Abraham Philips, of Rockingham.
6th John M. Morehead, of Guilford.
7th Walter F. Leake, of Richmond.
8th Willie P. Mangum, of Orange.
9th Josiah Crudup, of Wake.
10th John Hall, of Warren.
11th Joseph J. Williams, of Martin.
12th Kedar Ballard, of Gates.
13th Louis D. Wilson, of Edgecomb.
14th Richard D. Spaight, of Craven.
15th Edwd. B. Dudley, of New Hanover.

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FOR THE WESTERN CAROLINIAN.

Waynesville, N. C. 4th of July, 1828.

At a respectable number of the citizens of Haywood county, assembled at the court house in Waynesville, Col. Robert Love was appointed President, and Elijah Deaver, sen. Vice President. The Declaration of Independence was read by Felix Axley, Esq. who made a few appropriate remarks, suitable to the occasion. After which, the company repaired to Mr. B. Chamber's Tavern, and partook of a dinner provided for the occasion. The cloth being removed, the following toasts were drank:

1. The day we celebrate.
2. The Constitution of the United States.
3. The memory of Gen. George Washington.

4. The Constitution of North Carolina.
5. The Framers of the Declaration of Independence.

6. Charles Carroll, the only survivor of the signers of the Declaration of Independence; may his memory be written on the hearts of every American, in letters of gold.

7. The Hero of New Orleans, whose virtue is equal to his bravery.

8. The memory of Thomas Jefferson.

9. The Ex Presidents.

10. Marquis La Fayette, the foreigner who, in 1776, espoused the cause of bleeding liberty.

11. The memory of Baron De Kalb, who watered the tree of liberty with his blood on the plains of ill-fated Camden.

12. The American Navy.

13. The American Fair.

The following are the volunteer Toasts that were drank:

The President, Col. Robert Love, rose and addressed the company as follows: Fellow-citizens, having discovered, during my late tour to the west, that I have been nominated by you as a candidate for Elector of President of the U. S. for this district, I take this method of returning you my sincere thanks for this mark of your high esteem, for the particular attachment that you must necessarily have towards my heretofore republican principles; and as it is necessary that I should now give you a renewed pledge of my sincerity towards those principles, I do now sincerely avow, that should I be honored with a majority of the suffrages of this state, at the ensuing electoral election, I will in that event, vote for Andrew Jackson for President, and John C. Calhoun for Vice President, believing them to be genuine republicans; and, therefore, give them as my Toast.

By Col. Joseph Cathey: the Officers and Soldiers of the Revolution; they achieved our nation's liberty; they merit the nation's gratitude.

Jas. R. Love, Esq.: may the wishes of a majority of the American people be heard and promptly obeyed, in the selection of the Chief Magistrate of the nation.

Elijah Deaver, sen. Esq.: may the axle on which the wheels of our government turns, at the next Presidential Election be made out of HICKORY.

Nelson Allman: may John Q. Adams remain in the executive just as long as his father; and Jackson fill his place, because he has the will of the people.

Elijah Deaver, sen. Esq.: the great republican maxim of our government is, that a majority should rule; and, therefore, the minority should act in accordance thereto.

N. G. Howell: Gen. Jackson is the choice of the people, and therefore should be President of the United States.

Capt. N. S. Jarrett: to the memory of those veterans who bought our liberty with their blood: "Live while we live, and die when we die."

Joseph Deaver: the President of the day.

R. B. Hyatt: the Vice President of the day.

A. McCrackin: the Speaker of the day.

Jas. R. Love, Esq.: the late John Haywood, because I believe he was an honest man.

William Johnston, a native of Ireland: Gen. Andrew Jackson; may he, like the immortal Washington, after having spent the prime of his life in the military ser-

vice of his country, live to fill the Presidential chair with equal honor and dignity.

The same: John C. Calhoun, the friend of every good man; next to Hickory, may he stand forth the highest officer in the Union.

Felix Axley, Esq.: may domestic manufactures and Internal Improvement, be joined in the holy bands of matrimony, until the union produce the fair daughter commerce.

Reuben Deaver: may every republican principled gentleman, live to see the good effects of the tariff, and rejoice to see the fair sex of our nation wearing the manufactures of our own hands.

Nelson Allman: Gen. Washington, the establisher of our liberty... Gen. Jackson, the defender.

William Welch: here is Old Hickory; may his future honor and character be as impenetrable as the outward bark of the Hickory of the forest.

William Sitton: here is health to Gen. Jackson; wishing that he may take the seat of J. Q. Adams—and he (Adams) retire to his native place, without commission evermore.

Wm. Sorrells: here is success to Old Hickory face; wishing the bark may never fail.

William Johnston, a native of Ireland: Christopher Columbus; while we are toasting the heads of the people, here's a health to the discoverer of America.

Wm. A. Biffle: A very good health to Gen. Jackson; believing the welfare of our country depends on the success of Old Hickory.

P. F. Myer: Henry Clay; the Cicero of America.

• • • • The proceedings at the celebration of the 4th July, at the house of Miles W. Abernathy, Esq. in Lincoln county, are unavoidably omitted till our next.

West Point Academy.—The gentlemen designated by the Secretary of War, to compose the Board of Visitors at the U. S. Military Academy at West Point, of which Governor Carroll, of Tennessee, was President, have made a report on the condition of that institution; from which we learn that the Academy is in a highly prosperous state. During the examination, about 70 young men arrived, to enter the institution the next session. The utility and importance of this national institution, have been tested by experience, and confirmed by public approbation.

Fatal encounter.—A dispute lately took place between Gen. Edmund Hogan and Judge Andrew Scott, of Arkansas, during which Gen. H. a very large man, knocked Judge S. who is small, to the floor; in rising, the latter stabbed the General with a sword cane in four different places: he died in less than 10 minutes.

New Cotton.—A sample of new cotton, the production of plants which continued alive throughout the last winter, and put out afresh this spring, was shown the editor of the Georgian, Savannah, Georgia, on the 8th July. It possessed the qualities of what is called good cotton, whiteness, fineness, and length of staple. This is out of the common course of things.

Rail Road.—A meeting of the citizens of Orange and Chatham counties, is called to take place at William Albright's store, on the 1st August, to consider on the propriety of constructing a Central Railroad through the state of North Carolina, and to urge upon the next legislature to take up the subject. Every friend to the prosperity of the state, must not only wish success to the efforts of these public spirited individuals, but must feel a desire to aid and assist them in their laudable exertions to subserve the best interests of not only themselves, but of the whole state.

A rail road through North Carolina, would advance the state, beyond calculation, in the scale of political importance—bring a market to every farmer's door—induce commerce to

What a "Sign!"—The Greensboro'
paper pricks up its ears, and brightens
in countenance, at a wonderful sign in
favor of the administration: In Guilford
county, there are five candidates for the
assembly, four of whom are Adams
men. And this the editor would fain set
down as conclusive evidence that the state
is for the administration. Now in our es-
timation, if this is a sign of any thing, it
argues but little in favor of the modesty
and consciousness of merit, in the Adams
people, to be thus impudent in pushing
themselves into public notice.

Chesapeake and Ohio Canal.—The 4th

of July was celebrated by the citizens of Washington city, and the adjacent country, in manner both laudable and interesting, by breaking ground, as a commencement of the Chesapeake and Ohio Canal. A large party repaired to the spot for commencing the canal, at the falls of the Potomac, among them the President of the United States: after the immense concourse of spectators had formed a hollow square, and other preparatory ceremonies, Gen. Mercer, President of the Canal Company, gave a spade to the President of the U. S. on whom had been conferred the honor of first breaking ground; after a few spirited remarks from Gen. Mercer, Mr. Adams delivered a long and learned address; and when he had concluded, he struck the spade into the ground....but the instrument coming in contact with a root, (in the language of the Nat. Jour.) "Mr. Adams tried it again, with no better success. Thus failed, he threw down the spade, hastily stripped off, and laid aside his coat, and went seriously to work. The multitude around, and on the hills and trees, who could not hear, because of their distance from the open space, but could see and understand, observing this action, raised a loud and unanimous cheering, which continued for some time after Mr. Adams had mastered the difficulty." After this, a national salute was fired by a company of artillery. The procession then returned to the city, in harmony, and without accident.

In Baltimore, the 4th was celebrated in a style of splendor never equalled in the United States. The Baltimore and Ohio Rail Road was commenced on that day.

Col. Joseph Pickett, died at his residence in Wadesborough, Anson county, on the 2d inst. in the 52nd year of his age, being born on July 4th, 1775. He was a lawyer of high standing and unusually beloved for his private virtues. The estimation in which his neighbors held him will best be understood by the following resolutions:

A meeting of the citizens of Wadesborough was convened at the Court House on the morning of the 3d instant. The meeting was organized by calling Dr. Thomas D. Parke, Magistrate of Police, to the chair, and appointing Ab-salom Myers, Esq. Secretary. The object of the meeting was explained in a short address from the chair, and the following resolutions were unanimously adopted.

Resolved, That we deeply deplore the loss we have sustained in the death of our distinguished fellow citizen, Col. Joseph Pickett.

Resolved, That as a testimony of respect and esteem in which we held the public services and exalted private virtues of the deceased, we will wear the usual badge of mourning for thirty days.

Resolved, That these proceedings be published in the Cheraw and Fayetteville papers.

Signed, T. D. PARKE.

A. Myers. Secretary.

The death of Thomas Chambers, Esq. of this County, who departed this life at Wadesboro, Anson county, on the 16th ult., has heretofore been noticed in our paper: the following deserved tribute to his worth, is an extract from an obituary, communicated for the Fayetteville Journal: "His were the virtues which particularly endear a friend. He loved not to mix in political debates or religious controversy, but his attachment was warm and sincere to his country and his God. His delights were the enjoyment of home. A devoted and tender husband, a kind and attached brother and friend, a benevolent and useful neighbor, a good and kind master, his chief pleasure was to see those around him happy, his business to make them so—to the poor, in health, he was an adviser and friend, and in sickness a physician and nurse. Let us not only admire his virtues but endeavor to imitate his example, that like him we may reap the reward—a happy life and a cheerful death."

George White Young, Esq. late engineer and superintendent on the Erie & Champlain Canals, New-York, was drowned in the Hudson river on the 27th ult. near his residence at Sandy Hill, Washington county; having, as is supposed, slipped from the rocks while fishing. His body was found on Sunday. He had recently purchased a large and valuable property at that place, on which himself and family were residing.

The 2d regular toast, drank at the celebration of the 4th in Lincolnton, was inadvertently omitted in our publication of the proceedings last week; it follows:

2. The Constitution of the United States: the first and only one that makes a freeman free, and binds tyrants in chains: may sectional interest never violate its letter, nor misconstrue its spirit.

We would refer the reader to the opposite page, for the commencement of the defence, by the Central Jackson Committee at Raleigh, of Gen. Jackson against the slanders which have been heaped on him in relation to the execution of the six traitors at Mobile.

We recommend the following "Signs" to the especial attention of the "gentleman in Wilkes county," who seems to dance over the packed vote in Capt. Pilkington's company, as joyfully as a *lodge* of Chickasaws would round a calabash of bean-broth. "The support of the *Hero*, an *uphill business*," forsooth! Well, agreed: we have always contended that ours was the *uphill side* of the question. If the administration people are satisfied in being down the hill, and can draw comfort from defeat, they will be the happiest dogs in the world after the 4th of March next, for they will then be at the bottom of the hill, where they will be in no danger of falling any lower.

At a muster of Capt. Field's company, in Wilkes county, on 5th inst. the vote was taken on the Presidency, (none being suffered to vote except those residing in the captain's district) and resulted as follows:

For Jackson, - - - - - 81
For Adams, - - - - - 00

In Capt. A. Patterson's company, the vote was also taken; and stood,

For Jackson, - - - - - 48
For Adams, - - - - - 00

At a meeting at Laurel Hill, Richmond county, 4th inst. a vote on the Presidency resulted in 67 for Jackson and Calhoun, and 5 for Adams and Rush.

At a barbecue in the vicinity of Warren-ton, 5th inst. 72 for Jackson 1 for Adams.

At a drill muster of the officers of the upper regiment of Rockingham county, 49 for Jackson, 2 for Adams.

5th July, 1828.

Mr. WHITE: Sir, I hope you will do the citizens of the lower end of Rutherford county the favour to publish the following narrative in your paper. They do not implore divine providence to scourge our beloved country with war, famine, nor pestilence; neither do they wish for the treasury to be drained for Panama missions; they wish for an administration congenial with the motto of the late War: "Free trade and sailor's rights."

On yesterday, the 4th of July, 1828, at a regimental muster of the militia of the second regiment of Rutherford county, the vote of the Regiment was taken; and there were,

For Gen. A. Jackson, - - - 556
For J. Q. Adams, - - - - 16

The vote was taken in this way. Those that were for Adams, were to retain their ground; and those who were for Jackson were to march ten paces to the front: And what is a little singular, when the word march was given, all of Capt. D. Birchett's company marched out for Jackson except one man, and he is a merchant. With respect, I am, in haste, your humble servant, A friend to liberty.

Mecklenburg county.—Evidences of the popularity of Gen. Jackson in this country multiply on us weekly: three-fourths of the votes of Mecklenburg, at least, will, beyond all dispute, be given to the People's candidate, Andrew Jackson: Yet the

Editor of *Balt. Repub.*

Mecklenburg county.—Evidences of the popularity of Gen. Jackson in this country multiply on us weekly: three-fourths of the votes of Mecklenburg, at least, will, beyond all dispute, be given to the People's candidate, Andrew Jackson: Yet the

truth is, that the celebration in Charlotte was emphatically an *Adams* affair: look at the officers of the day....the regular

toasts, the volunteers, the whole complexion of the thing. The friends of Jackson

had a celebration in another part of the county; and all who could conveniently leave Charlotte to attend, did so.

The partisans of the administration seem to have nearly expended their stock of malignity, in slandering the man to whom they are indebted for the very privilege which they so wantonly abuse in propagating falsehoods which, for their baseness and profligacy, were unheard of before. Their inglorious, mean, low-bred, and cowardly calumnies against a pious, exemplary, and unoffending woman, for her husband's sake, having drawn down on them the indignation of a brave and gallant people, they seize on the six militia affair as a *dernier resort*....as the forlorn hope....in their traitorous efforts to blast the fair fame of one of the purest patriots and greatest benefactors of this republic: and fearing they will be foiled in this their last struggle against their country, they have grown desperate, and are even more vengeful, if possible, towards all who espouse the cause of Jackson and their country, than the same manner of persons were during the Revolution.

We have received a communication, under the signature of "the Republican Revolutionary;" but as the subject is a delicate one, and the piece unsuited, by its defective syntax, diction, &c. for publication, without being materially remodeled, we should like to hear from the author, in his proper name.

"Justice" shall be published, in a short time,—as soon, indeed, as we are able to dispose of other matter which we have promised a place. It is as foreign to our wishes as it is to our practice, to deny "justice" to any party: the cause in which we are engaged, does not fear the light; for the "better it is known, the better it is liked."

CONSECRATION.

On Saturday and Sunday, the 26th and 27th inst. divine service will be celebrated in this place, by Bishop Ravenscroft. It is expected that the new Episcopal Church will be consecrated on Sunday, the 27th: The pews in the church will be disposed of (at the church) after divine service on Saturday, the 26th, when and where the Vestry will attend and make known the terms.

Salisbury, July 10th, 1828.

Gen. Scott.—The lady of Gen. Scott, (says the New York Commercial Advertiser of the 2d inst.) with her mother, Mrs. Mayo of Virginia, and her sister, Mrs. Cabell, embarked yesterday for France, in the new packet ship Charlemaine. Mrs. Scott goes out for the filial purpose of accompanying her mother on a voyage for her health. We learn that Gen. Scott applied for a furlough, to make a voyage also, but his request was refused. We further learn that Gen. S. has received an order from the President to repair to his post at Cincinnati, and resume his command. As this order comes from the President himself, who is Commander in Chief by the Constitution, no question of rank can interpose.

The Cincinnati Gazette says—General W. H. Harrison, Minister Plenipotentiary to Colombia, has arrived at his place of residence in Ohio. He does not expect to depart for Bogota before the autumn.

VIRGINIA.

Extract of a Letter from the Hon. P. P. Barbour, to his friend, near Louisville, dated

"Washington City, May 17, 1828.

"You inquire what will be the probable vote of Virginia, in the pending Presidential Election? In reply, I will say, that, from every source of information that is accessible to me, I am impressed with a full and confident belief, that Virginia will by large and decided majorities, go for Gen. Jackson. I need scarcely remark to you, that we vote by general ticket, and that, consequently, he will get all. In

relation to the other part of your letter, in which you express a desire to hear from me upon the subject of the qualifications of the competing candidates, I beg leave to say—the best indication which I can give you of my opinions and views, is a statement of the fact, that I am myself decidedly in favor of the election of Gen. Jackson, from a thorough conviction that he will give us a better, more impartial, and more economical administration than the present incumbent. Whilst Mr. Adams has been reading books, Gen. Jackson has read the great volume of men and things, which qualifies him for the practical operations of Govern-

ment."

[Mr. P. P. Barbour is the gentleman who was formerly Speaker of the House of Representatives, and is the brother to Mr. Adams' late Secretary of War, and present Minister to England, JAMES BARBOUR.

Editor of *Balt. Repub.*]

Masonic.—At an annual convocation of the Grand Royal Arch Chapter of the State of North Carolina, holden at Tarborough, on the 22d ult. and continued by adjournment until the 24th, the following Grand Officers were elected for the ensuing year.

M. E. Esek Arnold, G. H. P. Fayetteville, Robt. Joyner, D. G. H. P. Tarborough, James Seawell, G. K. Fayetteville.

E. W. S. Wiggins, G. S. Halifax, M. E. Elmid, B. Freeman, G. Treas. do. E. A. J. Lawrence, G. Secy. Raleigh, Rev. Comp. C. M'Fiver, G. Chap. Fayetteville, E. Anson Bailey, G. M. do.

Bank Dividends.—The Bank of Cape Fear, has declared a Dividend of two per cent. for the half year, ending June 30th. The Farmer's Bank of Virginia, has declared a Dividend of two and a half per cent. and the Bank of Virginia, a Dividend of three per cent. for the same period; and the United States' Bank, a Dividend of three and a half per cent.

Rice crop.—The Georgetown, S. C. paper, says a planter in that vicinity will, the present season, harvest a field of Rice, from the stubble of last year's crop.

From France.—By an arrival at New-York, from Havre, French papers to the 30th May are received. But there is no additional news from the seat of war in the East.

A mutiny broke out in the New-York penitentiary, on the 3d inst.; and before it was quelled, two of the convicts were shot.

More signs.—In Jones county, at a collection of people, a vote on the presidency gave Jackson 28, Adams 1, on the fence 1.

In Martin county, Capt. Everett's company voted on the 4th, and gave 40 for Jackson, none for Adams.

Good Dividends.—The New-York Ocean insurance company, has declared a dividend of ten per cent. as the profits of that concern for the last six months; the Neptune insurance six per cent.; and the New-York insurance five per cent. for the same period.

A pretty girl was lately complaining to a *Friend* that she had a cold, and was sadly plagued in her lips by chaps. "Friend," said Obadiah, "thou should never suffer the chaps to come near thy lips."

Hayti.—The last accounts from the Island of Hayti of the 7th of June, give a very gloomy account of its situation.

Want of wisdom in the government, the writer considers the primary cause of its embarrassments.

Accounts from Port au Prince to the 15th June state, that on the 10th, General Boyer opened the Chamber of Commerce. After the year 1830, the commerce with all nations is placed on an equal footing. This was stated by Boyer

Extract from a letter dated *Western Reserve, Ohio*, June 27, 1828.

"I think that Gen. Jackson is gaining ground in this State, and will succeed in the election next fall. Many who stood neutral have come out on the side of Jackson; and some who were once blind now see, and will, doubtless, join with their friend and supporter of our country:—nay, more, the preserver of our country from invasion, and the ravages of "Beau-ty and Booty" by a foreign foe."

5mt36 THOS. CRAIGIE, ROBE. N. CRAIGIE.

July 15, 1828. Administrators.

State of North-Carolina,
Rowan County.

JULY 5th, 1828. A true description of a beast, taken up and entered by Andrew Griffin, in said county: A bay mare, supposed to be 18 or 19 years old, about four feet 7 or 8 inches high, a star in her face, one hind foot white, hip-shoulder, some knots on her left knee, and large mane and tail: Which was valued at \$8, and put on my stay-book the day and date above-mentioned.

G. ANDERSON, Ranger, Park of Yuckin, 3d reg't. Rowan co'y.

To the Public.

ALTHOUGH the consciousness of innocence may sustain a man, who, in the discharge of his official duties, has incurred the suspicion of negligence or guilt; yet in a country like ours, that respect due to the opinion of our fellow-citizens, who either directly or indirectly confer every office of trust, will extort from the highest on whom they bestow it, a vindication from a charge which, if true, would show them unworthy of such office; and excuse in the humblest, an appeal to the public for that purpose. This is the motive I have for obstructing myself on the public notice; and this with those whose opinions I value, needs no apology.

In the fall of 1826 Joseph Weir, who had been sent from Lincoln to the jail of this county, on several capital charges, for which he was recently executed, made his escape, by the aid of some persons whose names he would not divulge. At that time I was, as I am now, high Sheriff of the county of Mecklenburg, and Mr. Allen Baldwin was jailor. The Attorney General esteemed it his duty to file bills of indictment against the guard, (appointed by the jailor while I was gone) to make my official return in Raleigh,) the jailor and myself, in the escape. At last Superior Court, I, as well as the jailor, was acquitted of the charge by a jury of my country. This is, no doubt, sufficiently satisfactory to my friends and all acquainted with the progress and issue of the prosecution; but as Weir had, by his numerous offences, acquired great notoriety in the western part of the state, the news of his escape was widely spread, and the circumstance by which it was effected being involved in doubt, created suspicion prejudicial to my character, which was, I fear, spread more widely than that of my acquittal. In order to remove all doubt on the subject, I thought it advisable to submit to Weir, on the morning of the day on which he was executed, and in the presence of the reverend gentlemen who were administering to him spiritual consolation, and Capt. Coleman, the officer on duty, at a period when every earthly consideration must have ceased to have any hold on his feelings, the following question, which, with his answers and confession under the gallows, are respectfully submitted to the public, with the consciousness that this justification is due to that public, from whose favorable opinion the subscriber has hitherto received the most honorable and flattering support—their justice will confirm the verdict on oath of twelve of his fellow-citizens.

Yours, &c. JOHN SLOAN.

June 26, 1828. St. 25

Concord Jail, May 30, 1828.

Questions proposed by Col. J. Sloan to Joseph Weir, and answers returned.

Q. Mr. Weir, my reputation has been assailed since your escape from Mecklenburg Jail: Do you believe I knew any thing about your escape at the time it was effected?

J. I know you did not.

Q. Who questioned you about those supposed to have assisted you in making your escape?

J. Joseph Wilson, Wm. J. Alexander and Dr. Johnson.

Q. Did any other person in Mecklenburg County examine you concerning your escape?

J. No.

Q. Is Baldwin innocent?

J. He is innocent, and so is the negro that attended on the jail.

Q. Are you willing to disclose who let you out?

J. I cannot answer that question.

Q. Were you let out by a false key, or were you let out by the key of the jail?

J. I expect partly by a false key.

Q. Is my brother Robert Sloan innocent?

Revolutionary Claims.

An act for the relief of certain surviving Officers and Soldiers of the Army of the Revolution. **B**eing enacted by the Senate and House of Representatives of the United States of America in Congress Assembled. That each of the surviving officers of the army of the Revolution in the Continental Line, who was entitled to half pay by the resolve of October twenty-first, seventeen hundred and eighty, be authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in said line, according to his rank in the line, to begin with the third day of March, one thousand eight hundred and twenty-six, and to continue during his natural life: Provided, that, under this act, no officer shall be entitled to receive a larger sum than the full pay of a Captain in said line.

Sec. 2. And be it further enacted, that, whenever any of said officers has received money from the United States, as a pensioner, since the third day of March, one thousand eight hundred and twenty-six aforesaid, the sum so received shall be deducted from what said officer would, otherwise, be entitled to, under the first section of this act; and every pension to which said officer is now entitled, shall cease after the passage of this act.

Sec. 3. And be it further enacted, that every surviving non-commissioned officer, musician, or private, in said army, who enlisted therein for and during the war, and continued in its service until its termination, and thereby became entitled to receive a reward of eighty dollars, under a resolve of congress, passed May fifteenth, seventeen hundred and seventy-eight, shall be entitled to receive his full monthly pay in said service, out of any money in the treasury not otherwise appropriated; to begin on the third day of March, one thousand eight hundred and twenty-six, and to continue during his natural life: Provided, that no non-commissioned officer, musician, or private, in said army, who is now on the pension list of the United States, shall be entitled to the benefits of this act.

Sec. 4. And be it further enacted, that the pay allowed by this act shall, under the direction of the secretary of the treasury, be paid to the officer or Soldier entitled thereto, or to their authorized attorney, at such places and days as the Secretary may direct; and that no foreign officer shall be entitled to said pay; nor shall any officer or Soldier receive the same, until he furnish to said Secretary satisfactory evidence that he is entitled to the same, in conformity to the provisions of this act; and the pay allowed by this act shall not in any way be transferable, or liable to attachment, levy, or seizure, by any legal process whatever, but shall inure wholly to the personal benefit of the officer or soldier entitled to the same by this act.

Sec. 5. And be it further enacted, that so much of said pay as accrued by the provisions of this act, before the third day of March, eighteen hundred and twenty-eight, shall be paid to the officers and soldiers entitled to the same, as soon as may be, in the manner and under the provisions before mentioned; and the pay which shall accrue after said day, shall be paid semi-annually, in like manner, and under the same provisions.

A. STEVENSON.

Speaker of the House of Representatives
S. SMITH,

President of the Senate, pro tempore.
Approved: 15 May, 1828.

JOHN QUINCY ADAMS.

Treasury Department, May 28, 1828:

The "Act for the relief of certain surviving officers and soldiers of the revolution," approved on the 15th day of May, 1828, (of which the foregoing is a copy,) will be carried into effect under the following regulations:

Each officer claiming under the act, will transmit to the secretary of the treasury a declaration, according to the form hereunto annexed, marked A, and each non-commissioned officer, musician, and private, according to the form marked B, accompanied by the oath of two respectable witnesses, as to his identity, which oath is to be taken before a justice of the peace, or other magistrate, duly empowered to administer oaths in the state or territory in which he resides, and authenticated under the seal of the court of the county in which the oath was administered, as shown in the said forms.

Each officer will also transmit his commission, if in existence and attainable, and each non-commissioned officer, musician, and private, his discharge; which documents, after being registered, will be returned. If the commission or discharge has been lost or destroyed, he will transmit such other evidence as he may possess or can obtain, corroborative of the statements set forth in his declaration.

If the evidence transmitted, taken in connexion with that afforded by the public records at Washington, be found satisfactory, the amount of two years' full pay, at the rate to which the officer or soldier was entitled, according to his rank in the line, at the close of the war, or at the time of his reduction, (as the case may be,) but in no instance exceeding the full pay of a captain of the continental line, will be transmitted to him, at the place of his residence, after deducting therefrom the amount of any pension which he may have received from the United States since the 3d day of March, 1826. He may, however, authorize any other person to receive it for him; in which case, he will execute a power of attorney, according to the annexed form, marked C, which must be acknowledged before a justice of the peace, or other magistrate, and authenticated under the seal of the court of the county, in the same manner as is already prescribed in regard to declarations. But no payment will be made to any such attorney, until he has made oath, according to the annexed form D, that the pay which he is authorized to receive is intended to enure wholly to the personal benefit of the person by whom the power was executed.

Witness my hand, this — day of —, in the year —. [Signed.] [L. S.]

Form of a Power of Attorney.

Know all men by these presents, that I, —, of —, in the county of —, in the state of —, do hereby constitute and appoint —, my true and lawful attorney, with a power of substitution, for me, and in my name, to receive from the United States the amount of pay now due to me, under the act for the relief of certain surviving officers and soldiers of the revolution, approved 15th May, 1826, as a — in the — regiment of the — line of the army of the revolution.

Witness my hand and seal, this — day of —, in the year —. [Signed.] [L. S.]

Sealed and delivered in the presence of —. [Signed.] [L. S.]

Form of a Power of Attorney.

Before me, —, a justice of the peace in the county of —, in the state of —, personally appeared, this day, —, whose name is subscribed to the foregoing power of attorney, and acknowledged the same to be his act and deed.

Witness my hand, this — day of —, in the year —. [Signed.]

Form of Affidavit to be taken by Attorneys.

Before me, —, a justice of the peace in the county of —, in the — of —, personally appeared this day, —, the attorney named in the foregoing power of attorney, and made oath that the same was not given to him by reason of any transfer, or of any attachment, levy, or seizure, by any legal process whatever, of the herein authorized to be received, but that the said pay is intended to inure wholly to the personal benefit of the person by whom the said power was executed.

Witness my hand, this — day of —, in the year —. [Signed.]

Before me, —, there insert either a justice of the peace or other magistrate, duly empowered to administer oaths, in the county of —, in the state of —, personally appeared, this day, —, and —, of the said county, who did, severally, make oath, that —, by whom

may be endorsed on the cover, "Revolutionary Claims." RICHARD RUSH.

[A.]

Form of a declaration to be made by the officer.

For the purpose of obtaining the benefits of an act, entitled "An act for the relief of certain surviving officers and soldiers of the army of the revolution," approved on the 15th of May, 1828, I, —, in the county of —, in the state of —, do hereby declare that I was an officer in the continental line of the army of the revolution, and served as such, (here insert, to the end of the war, or (as the case may be) to the time when the arrangement of the army provided by the resolves of congress of the 3d and 21st of October, 1780, was carried into effect, and was reduced under that arrangement,) at which period I was a — in the — regiment of the — line.

And I also declare, that I afterwards received a certificate (commonly called a commutation certificate) for a sum equal to the amount of five years' full pay; which sum was offered by the resolve of congress, of the 22d of March, 1783, instead of the half pay for life, to which I was entitled under the resolve of the 21st of October, 1780.

And I do further declare, that I have received of the United States, as a pensioner, since the 3d day of March, 1826. [Here insert, no money, or (as the case may be) that I have received, as a pensioner of the United States, since the 3d day of March, 1828, the sum of — dollars, paid to me by the agent for paying pensions in the state of —.] [Signed]

Before me, —, [here insert, justice of the peace, or other magistrate, duly empowered to administer oaths,] in the county of —, in the state of —, personally appeared, this day, —, and —, of the said county, who did, severally, make oath, that —, by whom the foregoing declaration was subscribed, is generally reputed and believed to have been an officer in the army of the revolution, in manner as therein stated.

Witness my hand, this — day of —, in the year —. [Signed]

I, —, clerk of the court of the county of —, in the state of —, do hereby certify, that —, before whom the foregoing affidavits were sworn, was, at the time, a — [here insert, justice of the peace, or other magistrate, duly empowered to administer oaths,] and duly empowered to administer oaths.

In testimony whereof, I have hereunto set my [L. S.] hand, and affixed the seal of the said court, this — day of —, in the year —. [Signed.]

[B.]

Form of a declaration to be made by the non-commissioned officers, musicians, and privates.

For the purpose of obtaining the benefits of "An act for the relief of certain surviving officers and soldiers of the army of the revolution," approved on the 15th of May, 1828, I, —, of —, in the county of —, in the state of —, do hereby declare that I enlisted in the continental line of the army of the revolution, for and during the war, and continued in its service until its termination; at which period I was a — (sergeant, corporal, musician, or private, as the case may be,) in captain —'s company, in the — regiment of the — line. And I also declare, that I afterwards received a certificate for the reward of eighty dollars, to which I was entitled, under a resolve of Congress, passed the 15th of May, 1778.

And I further declare that I was not, on the fifteenth day of March, 1828, on the pension list of the United States. [Signed]

Before me, —, [here insert either a justice of the peace, or other magistrate, duly empowered to administer oaths,] in the county of —, in the state of —, personally appeared, this day, —, and —, of the said county, who did, severally, make oath that —, by whom the foregoing declaration was subscribed, is generally reputed and believed to have been an officer in the army of the revolution, in manner as therein stated.

Witness my hand, this — day of —, in the year —. [Signed]

I, —, clerk of the court of the county of —, in the state of —, do hereby certify, that —, before whom the foregoing affidavits were sworn, was, at the time, a — [justice of the peace, or as the case may be,] and duty empowered to administer oaths.

In testimony whereof, I have hereunto set my [L. S.] hand, and affixed the seal of the said court, this — day of —, in the year —. [Signed.]

[C.]

Form of a Power of Attorney.

Know all men by these presents, that I, —, of —, in the county of —, in the state of —, do hereby constitute and appoint —, my true and lawful attorney, with a power of substitution, for me, and in my name, to receive from the United States the amount of pay now due to me, under the act for the relief of certain surviving officers and soldiers of the revolution, approved 15th May, 1826, as a — in the — regiment of the — line of the army of the revolution.

Witness my hand and seal, this — day of —, in the year —. [Signed.] [L. S.]

Sealed and delivered in the presence of —. [Signed.] [L. S.]

Form of a Power of Attorney.

Before me, —, a justice of the peace in the county of —, in the — of —, personally appeared this day, —, the attorney named in the foregoing power of attorney, and made oath that the same was not given to him by reason of any transfer, or of any attachment, levy, or seizure, by any legal process whatever, of the herein authorized to be received, but that the said pay is intended to inure wholly to the personal benefit of the person by whom the said power was executed.

Witness my hand, this — day of —, in the year —. [Signed.]

Before me, —, there insert either a justice of the peace or other magistrate, duly empowered to administer oaths, in the county of —, in the state of —, personally appeared, this day, —, and —, of the said county, who did, severally, make oath, that —, by whom

may be endorsed on the cover, "Revolutionary Claims." RICHARD RUSH.

the foregoing declaration was subscribed, is generally reputed and believed to have been an officer in the army of the revolution, in manner as therein stated.

Witness my hand, this — day of —, in the year —. [Signed]

I, —, clerk of the court of the county of —, in the state of —, do hereby certify, that —, before whom the foregoing affidavits were sworn, was, at the time, [here insert either a justice of the peace or other magistrate, duly empowered to administer oaths,] and duly empowered to administer oaths.

In testimony whereof, I have hereunto set my [L. S.] hand, and affixed the seal of the said court, this — day of —, in the year —. [Signed]

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